

REMARKS

Claims 1 through 14 are now presented for examination. Claims 3 through 5 have been canceled without prejudice or disclaimer of subject matter. Claims 1 and 9 have been amended to define still more clearly what Applicant regards as his invention, in terms which distinguish over the art of record. Claim 14 has been added to assure Applicant of the full measure of protection to which he deems himself entitled. Claims 1 and 14 are the only independent claims.

Claims 1, 6 and 9 have been rejected under 35 U.S.C. § 112, second paragraph, as lacking sufficient antecedent bases. In response, Claim 1 has been amended to change objected-to “the opposite sides” at line 5 to “opposite sides”, the objected-to “the sheet conveying direction” at line 8 to “a sheet conveying direction” and the objected-to “the direction” at line 8 to “a direction”. Claim 9 has been amended to change the objected-to “the same driving source” at line 3 to “a same driving source”. It is believed that the claims as currently amended fully meet the requirements of 35 U.S.C. § 112, second paragraph.

Claims 1, 2, 7, and 13 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,963,722 (Matsumoto, et al. '722). Claims 6 and 9 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsumoto, et al. '722 in view of U.S. Patent No. 6,231,039 (Chung). Claim 8 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsumoto, et al. '722 in view of Chung as applied to U.S. Patent No. 5,447,298 (Watanabe, et al.). Claims 10 through 12 under 35 U.S.C. § 103(a) as being unpatentable over Matsumoto, et al. '722 in view of Chung as applied to Claim 9 and further in view of U.S. Patent

No. 6,382,614 (Fukatsu, et al.). With regard to the claims as currently amended, these rejections are respectfully traversed.

Independent Claim 1 as currently amended is directed to sheet processing apparatus in which a sheet conveying unit conveys sheets and a first loading unit loads a sheet bundle of plural sheets conveyed by the sheet conveying unit. A lateral aligning unit aligns opposite side edges of the sheet bundle loaded on the first loading unit in the direction perpendicular to the sheet conveying directions. A stapling unit performs stapling treatment with respect to the laterally aligned sheet bundle and a second loading unit loads the conveyed sheet bundles. A loading position controller loads sheet bundles to be loaded onto the second loading unit so that the loading positions are displaced from each other along the sheet conveying direction by switching the timing when the first and second alignment members move to the respective retreat positions for each sheet bundle.

In Applicant's view, Matsumoto, et al. '722 discloses a sheet processing apparatus that has a sheet stacking member that stacks a sheet to be discharged, and an offset mounting member that offsets plural sheet bundles on sides in a sheet bundle takeout direction and in a direction opposite thereto, and mounts the offset bundles onto the sheet stacking member. The offset mounting member mounts the first sheet bundle on the side in the sheet bundle takeout direction. When there is a sheet bundle on the sheet stacking member, the first sheet bundle is mounted by offsetting the first sheet bundle in a direction opposite to that of the last sheet bundle mounted.

According to the invention of Claim 1 as currently amended, loading position control means loads sheet bundles to be loading onto a second loading means so that the loading positions of the sheet bundles are displaced from each other along the sheet conveying direction by switching timing when the first and second alignment members move to respective retreat positions for each sheet bundle. Advantageously, the sheet processing apparatus is substantially reduced in size since it is not necessary to displace the sheet bundle in the direction perpendicular to the sheet conveying direction.

Matsumoto, et al. '722 may teach discharging a sheet bundle loaded onto a first loading means (421) to a second loading means (411). The Matsumoto, et al. '722 arrangement, however, only discloses offsetting discharged sheet bundles in the direction perpendicular to the sheet conveying direction by pressing alternate sheet bundles against different sides of an alignment unit. Matsumoto, et al. '722 is devoid of any disclosure relating to loading a sheet bundle onto a second loading means by displacing the sheet bundle in the sheet conveying direction and there is there any suggestion in Matsumoto, et al. '722 of displacing a sheet bundle by switching the timing of when first and second alignment members move to their respective retreat positions. Further, none of the other cited references in any manner suggests displacing the sheet bundles in the sheet conveying direction. Chung is restricted to teaching discharging to second loading means by displaying a sheet bundle in the direction perpendicular to the sheet conveying direction.

Absent any suggestion in Matsumoto, et al. '722 or any of the other cited references of displacing loading positions of sheet bundles in a second loading means in the sheet conveying direction to save space and improve loading efficiency or of switching timing of movement of alignment members to the retreat position to provide different displacement of successive sheet bundles, it is not seen that there is any foundation for citing Matsumoto, et al. '722 or any combination of the cited references as suggesting this feature Claim 1. Accordingly, it is believed that Claim 1 as currently amended is completely distinguished from any combination of the cited references and is allowable.

New independent Claim 14 is directed to sheet processing apparatus in which a sheet conveying unit conveys sheets and a first loading unit loads a sheet bundle of plural sheets conveyed by the sheet conveying unit. A lateral aligning unit aligns opposite side edges of the sheet bundle loaded on the first loading unit in the direction perpendicular to the sheet conveying directions. A stapling unit performs stapling treatment with respect to the laterally aligned sheet bundle and a second loading unit loads the conveyed sheet bundles. A loading position controller loads sheet bundles to be loaded onto the second loading unit so that the loading positions are displaced from each other along the sheet conveying direction by switching the speed at which the sheet bundle conveying unit conveys a sheet bundle for each sheet bundle.

In accordance with the invention of new Claim 14, loading position control means loads sheet bundles to be loaded onto a second loading means so that the loading positions are displaced from each other along the sheet conveying direction by switching the speed at which a sheet bundle conveying means conveys a sheet bundle for each sheet bundle. As discussed with

respect to Claim 1, Matsumoto, et al. only teaches offsetting discharged sheet bundles in the direction perpendicular to the sheet conveying direction by pressing alternate sheet bundles against different sides of an alignment unit but there is no suggestion in Matsumoto, et al. '722 of displacing a sheet bundle by switching the speed at which the sheet bundle conveying means conveys a sheet bundle for each sheet bundle as in Claim 14. Matsumoto, et al. '722 may disclose at lines 13-39 of column 13 that "it is desirable to convey the sheet at a high speed by rotating the discharging roller 415 at a high speed at a point in time of starting conveyance of the sheet, and to decelerate the discharging roller 415 at a point when the sheet rear end leaves the discharging roller 415. This permits prevention of the sheet from jumping over the bundle discharging belt 421." As a result, Matsumoto, et al.'722's speed variation of each sheet bundle to prevent jumping is directed away from and fails in any manner to suggest the feature of Claim 14 of switching speed to displace sheet bundles differently on a loading means. None of the other cited references in any manner teaches or suggests the switching of conveying speed for different sheet bundle displacement as in Claim 14. Accordingly, it is not seen that Matsumoto, et al. '722 taken alone or in combination of any other cited references could possibly suggest the features of Claim 14. It is therefore believed that new Claim 14 is completely distinguished from any combination of the cited references and is allowable.

In the absence of such a basis in the cited art to combine the teachings of the cited art, it is respectfully submitted that the motivation to modify the teachings of the cited art must come from Applicants claims. For example, see ACS Hospital Systems, Inc. v. Montefiore Hospital, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984).

In view of the foregoing, it is respectfully submitted that independent Claim 1 as currently amended and new Claim 14 are allowable over the cited art whether taken individually or in combination.

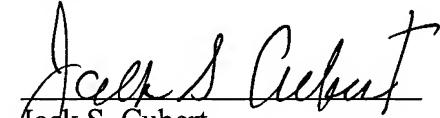
Claims 6-13 depend either directly or indirectly from one of independent Claim1 and are allowable by virtue of their dependency and in their own right for further defining Applicant's invention. Individual consideration of the dependent claims is respectfully requested.

If there is any reason precluding allowance of this application, the Examiner is kindly invited to contact Applicants' undersigned attorney to arrange for a personal interview to expedite prosecution with a mind to place the application in condition for allowance.

It is respectfully submitted that the pending claims are allowable over the art of record and that the application is in condition for allowance. Favorable reconsideration and early passage to issue of the present application are earnestly solicited.

Applicant's attorney, William M. Wannisky, may be reached in our Washington office by telephone at (202) 530-1010. All correspondence should continue to be directed to our New York office at the below-listed address.

Respectfully submitted,


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